

Message Text

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ACTION ARA-20

INFO OCT-01 ISO-00 SS-20 L-03 EB-11 SP-03 OIC-04 NSC-07

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R 101412Z MAY 74

FM AMEMBASSY BOGOTA

TO SECSTATE WASHDC PRIORITY 2660

C O N F I D E N T I A L BOGOTA 4064

E.O. 11652: GDS

TAGS: PFOR, OAS, CO

SUBJECT: MFM WORKING GROUP ON TRANSNATIONAL CORPORATIONS

REF: STATE 92124

1. AMBASSADOR DISCUSSED SUBJECT PER REFTEL WITH FOREIGN MINISTER VAZQUEZ CARRIZOSA LATE AFTERNOON MAY 9. VAZQUEZ SAID COLOMBIA WOULD BE AGREEABLE TO ORGANIZATIONAL MEETING IN WASHINGTON IN JUNE. HE THOUGHT REPRESENTATION OUGHT TO BE AT AMBASSADORIAL LEVEL, AND SAID HE WOULD PROBABLY NAME TWO OR THREE EXPERTS.

2. IN ADDITIONAL COMMENTS VAZQUEZ MADE FOLLOWING PRINCIPAL OBSERVATIONS:

A) ALTHOUGH ORGANIZATIONAL MEETING MIGHT BE IN WASHINGTON HE WAS QUITE OPPOSED TO WORKING GROUP ITSELF MEETING IN US. HE THOUGHT THIS WOULD EXPOSE WG TO CHARGE IT WAS UNDER US INFLUENCE OR PRESSURE. SINCE SUBJECT IS ITSELF DELICATE AND CONTROVERSIAL, ALL EFFORTS SHOULD BE MADE TO INSURE OBJECTIVITY AND NEUTRALITY AND TO MINIMIZE GROUNDS FOR COMPLAINT. SIMILARLY HE THOUGHT SITE SHOULD NOT BE IN A COUNTRY THAT HAD HAD RECENT DISPUTE WITH US OVER EXPROPRIATION,

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SUCH AS LIMA. SITE SHOULD BE ON "NEUTRAL" GROUND,

AND HE SUGGESTED MEXICO OR BOGOTA.

B) A SMALL TECHNICAL SECRETARIAT SHOULD BE ESTABLISHED. THIS SECRETARIAT COULD DO THE LIAISON AND COORDINATING WITH OAS, UN AND OTHERS, COMPILE STUDIES AND EVALUATE EXISTING WORKS, HANDLE THE PROPOSED SEMINARS OR TECHNICAL SESSIONS, ETC. HE THOUGHT FOR REASONS NOTED ABOVE THAT THIS SECRETARIAT SHOULD NOT RPT NOT BE LOCATED IN WASHINGTON EITHER.

C) POSSIBILITY OF AN INDEPENDENT EXPERT PANEL SHOULD BE CONSIDERED. THESE EXPERTS COULD PREPARE STUDIES, OR ACTUALLY DO EVALUATION OF EXISTING MATERIAL IN FIELD, AND EVEN MAKE TECHNICAL PROPOSALS.

D) SCOPE OF WORK OUGHT TO COVER TWO PHASES-- POLITICAL AND TECHNICAL/JURIDICAL. SOME TIME OUGHT TO BE PROVIDED FOR NATIONS TO EXPRESS THEIR POLITICAL POINT OF VIEW. THIS WOULD "GET IT OFF THEIR CHEST" BUT MORE IMPORTANTLY WOULD POINT UP WHERE THE PRACTICAL PROBLEMS ARE AND THE DIFFERENT PERSPECTIVES. THE SECOND PHASE WOULD BE CONSIDERATION OF THE TECHNICAL AND LEGAL PROBLEMS PRESENTED IN TRANSNATIONAL SITUATIONS. IN RESPONSE TO AMBASSADORS QUESTION HE SAID HE DID NOT ANTICIPATE THAT THERE WOULD BE AN EFFORT TO AGREE ON NEW LAW, BUT RATHER THE PARAMETERS OF LEGAL PROBLEMS WOULD BE DEFINED AND THE PROBLEMS PRESENTED BY DIFFERENT LEGAL CONCEPTS IDENTIFIED.

E) VAZQUEZ SAID HE WAS VERY LEERY ABOUT THE QUESTION OF FORMING A "FACT-FINDING" BODY TO DEAL WITH INTER-GOVERNMENT CONFLICTS. HE THOUGHT THIS WAS GOING TO BE TOO CONTROVERSIAL FOR AGREEMENT TO BE REACHED. TOO MANY COUNTRIES, HE SAID, CONSIDER THE RIGHT OF EXPROPRIATION AS ABSOLUTE AND WOULD NOT ADMIT THAT ANY OTHER BODY COULD HAVE ANY ROLE EVEN FACT-FINDING. HE THOUGHT THAT WHAT NATIONS THOUGHT OF THE SUGGESTIONS MIGHT WELL BE DISCUSSED IN THE POLITICAL PHASE, AND THEN IT WOULD BE CLEAR IF THIS WAS A FEASIBLE PROPOSAL TO STUDY.

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3. VAZQUEZ SAID THAT AFTER HE HAS GIVEN MORE THOUGHT TO THE MATTER HE WOULD MAKE ADDITIONAL COMMENTS, AND PROMISED TO GIVE AMBASSADOR A MEMO NEXT WEEK.
VAKY

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